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RECEIVED

MAY 11 2016

DEPARTMENT OF
PLANNING & ZONING

Matthew S. Stern
Associate
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May 11, 2016

Austin Hart, Chair
Burlington Development Review Board
149 Church Street, City Hall
Burlington, VT 05401

Re: 16-0870AP; 124 Sunset Cliff Road; Joseph Kroger – Withdraw of Appeal

Dear Mr. Hart:

This firm represents Joseph Kroger in the above-referenced matter. As discussed at previous hearings on this matter and in Mr. Kroger's March 25, 2016 request for a continuance, Mr. Kroger obtained Zoning Permit 16-0946CA ("Zoning Permit") on March 21, 2016, granting after-the-fact approval for the accessory apartment that is the subject of the Notice of Zoning Violation #298627 ("NOV") under review in this appeal. The Zoning Permit was conditioned upon obtaining a Construction Permit or written confirmation that a Construction Permit is not required from the Department of Public Works-Inspection Services Division. The Department of Public Works has now determined that a Construction Permit is not required, and a Unified Certificate of Occupancy was issued for the apartment on May 9, 2016.

As a result of receiving a Unified Certificate of Occupancy, the NOV has been resolved and this appeal is now moot. Therefore, Mr. Kroger requests that this appeal be dismissed by the Development Review Board.

Thank you for your assistance with this matter. Please contact me should you have any questions.

Very truly yours,

GRAVEL & SHEA PC



Matthew S. Stern

MSS:nl

cc: Mr. Scott Gustin, Department of Planning & Zoning (e-mail)